



Attorney General Jon Bruning

NEWS RELEASE

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Attorney General Bruning Unveils 2010 Legislative Package

(Lincoln, Neb.) Attorney General Jon Bruning today unveiled his 2010 legislative package including four measures designed to protect Nebraskans.

As a next step in the Attorney General's battle against sexual predators, the first bill empowers victims of child pornographers to sue their exploiters. The second bill is aimed at modernizing state laws concerning pyramid schemes. The third bill tightens the net on those who choose to drive on suspended licenses. The fourth bill addresses illegal gambling devices.

Exploited Children's Rights Act

This bill allows victims of child pornography to seek a civil remedy of a minimum of \$150,000 against those who created, distributed or actively acquired their images. It also allows the Attorney General's Office to pursue these cases on behalf of the victims upon their request.

"Every time the image of a child's sexual assault is downloaded, viewed or emailed – that child is re-victimized. The most horrific moments of a little girl or little boy's life are circulated on the Internet for eternity," Bruning said. "We are empowering victims by allowing them to go after their abusers, while also sending the message that these materials can carry a high financial cost."

The Federal Adam Walsh Act has created a provision known as "Masha's Law," which gives child pornography victims the necessary rights in any federally prosecuted case. Florida, Missouri and Nevada have enacted similar laws.

State Sen. Scott Lautenbaugh of Omaha will be carrying the bill.

"I am pleased to bring this bill in an attempt to provide some measure of compensation to the victims of exploitation," Lautenbaugh said. "It also provides another tool in the continuing fight against those who would prey upon our children."

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Anti-Pyramid Scheme Improvements

By providing new language and definitions, this bill modifies the anti-pyramid scheme statute contained within the Uniform Deceptive Practices Act. The current law covering pyramid schemes, the “Chain Distributorship Law” is 40 years old and contains broad language.

“By bringing the statutes up-to-date,” Bruning said, “we are better able to protect consumers as well as legitimate businesses.”

This bill more clearly defines a pyramid scheme as one where people sign-up knowing that the primary source of revenue will be through the recruitment of others to the scheme and not sales or services. Under this legislation, legitimate businesses will be better protected from frivolous suits.

Language is also added to allow victims to seek damages in court, a provision currently lacking.

State Sen. Tony Fulton of Lincoln is carrying the bill.

“I am pleased to assist the Attorney General in passing legislation that curtails fraud, abuse, and criminal activity in our state,” Fulton said.

Increased Penalties for Driving Under Suspension

This bill was created in response to the number of people driving on suspended licenses. Under this bill, drivers who violate the rules of the road while under suspension will see the clock reset on their suspensions.

“If you have your license suspended, there is a reason,” Bruning said. “It’s time for people to recognize that driving is a privilege, not a right.”

State Sen. Colby Coash of Lincoln will be carrying the bill.

“It’s time to send a message to all Nebraskans that driving while under suspension is not OK,” Coash said. “This bill shows that we’re serious about penalizing those who break the law.”

Anti-gambling legislation

This bill will ensure that amusement devices are used for their intended purpose and not as illegal gambling devices.

“The majority of Nebraskans have already made it clear they are opposed to gambling,” Bruning said. “This bill upholds the wishes of the voters.”

The bill will allow recreational games such as pop-a-shot basketball and crane games to remain legal as long as they don’t pay out prizes valued at more than \$10 per play or give prizes of cash, alcohol or tobacco.

Sen. Fulton will also be carrying this bill.

“This legislation will help safeguard the good life that Nebraskans deserve,” he said.

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